

DECLARATION, POWER OF ATTORNEY AND PETITION

As the below named inventors, we hereby declare that our residences, post office addresses and citizenships are as stated below next to our names; that we verily believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled HIGH PRESSURE TUBE CLEANING APPARATUS, the specification of which

☒ is attached hereto or
_____ was filed on _____, as application serial no.

☒ as further described at the supplemental disclosure statement attached hereto.

We hereby state that we have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above and the contents of any attached supplemental disclosure statement.

We acknowledge the duty to disclose information that is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

We hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, we acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

09/811,064

Application Serial No.

03/16/2001
Filing Date

Pending
Status

We hereby appoint Douglas L. Tschida, Registration No. 28481, of 633 Larpenteur Ave. West, Suite B, St. Paul, Minnesota 55113, Telephone No. (651) 488-8285, Facsimile No. (651) 488-8305, our attorney with full power of substitution and revocation to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Name: Daniel T. Garman
Daniel T. Garman

Date: 9/29/03

Residence:
Eveleth, MN 55734

Name: Dennis Swanson
Dennis Swanson

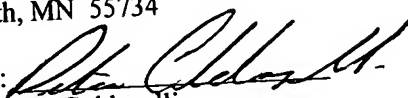
Date: 9-29-03

Residence:
St. Francis, MN 55070

DECLARATION, POWER OF ATTORNEY AND PETITION

Citizenship:
United States of America

Post Office Address:
P.O. Box 280
Eveleth, MN 55734

Name: 
Peter Coldagelli

Date: 9.29.03

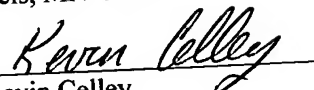
Residence:
Eveleth, MN 55734

Citizenship:
United States of America

Post Office Address:
1403 West Second St
Eveleth, MN 55734

Citizenship:
United States of America

Post Office Address:
PO Box 127
St. Francis, MN 55070

Name: 
Kevin Celley

Date: 9-29-03

Residence:
Biwabik, MN 55708

Citizenship:
United States of America

Post Office Address
P.O. Box 423
Biwabik, MN 55708

Re App: Garman, Daniel T. et al.

For: HIGH PRESSURE TUBE CLEANING APPARATUS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) -
INDEPENDENT INVENTOR

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purpose of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the above-entitled invention described in

☒ the specification filed herewith.

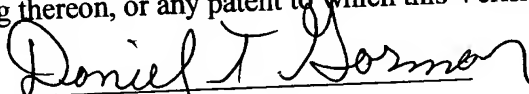
☐ application serial no. _____, filed _____.

☐ patent no. _____, issued _____.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

I acknowledge the duty to file, in this application for patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this Verified Statement is directed.



Daniel T. Garman

9/29/03
Date

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Dennis Swanson

9-29-03
Date

Re App: Garman, Daniel T. et al.

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_____ patent no. _____, issued _____.

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Peter Coldagelli

9-29-03
Date

Re App: Garman, Daniel T. et al.

For: HIGH PRESSURE TUBE CLEANING APPARATUS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) -
INDEPENDENT INVENTOR

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____ application serial no. _____, filed _____.
____ patent no. _____, issued _____.

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Kevin Celley
Kevin Celley

9-29-03
Date

Re App : Garman, Daniel T. et al.
For : HIGH PRESSURE TUBE CLEANING APPARATUS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c)) -
SMALL BUSINESS CONCERN

I hereby declare that I am an official of the small business concern empowered to act on behalf of the concern identified below:

Aqua Dynamics, Inc.
P.O. Box 280
Eveleth, MN 55734

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare the rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention and continuation-in-part patent application, entitled HIGH PRESSURE TUBE CLEANING APPARATUS by the inventors Daniel T. Garman, Dennis Swanson, Kevin Celley and Peter Coldagelli and described in

☒ the specification filed herewith.
___ application serial no. ___, filed _____.
___ patent no. ___, issued _____.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR §1.28(b)).

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Date: 9/29/03

AQUA DYNAMICS, INC.

By Daniel T. Garman
Daniel T. Garman
Its President